

Georgia Department of Community Health

Standards Of Conduct	Policy No. 410
Effective Date: April 2000 Revision Date: March 27, 2008	Page <u>1</u> of <u>9</u>

- References:**
1. O.C.G.A. 45-2-1 et seq.; 45-10-1; 45-10-20 et seq.; and 45-10-40
 2. Rules of the State Personnel Board
 3. DCH Policies

I. Purpose

The purpose of this policy is to provide general guidance to establish a framework of principles to assist employees in performing their jobs in a professional manner.

II. Scope

This policy applies to all employees of the Department of Community Health (DCH) and attached agencies.

III. Policy

- A. All employees of DCH are expected to maintain and exercise **at all** times the highest moral and ethical standards in carrying out their responsibilities and functions. Employees must conduct themselves in a manner that prevents all forms of impropriety, placement of self-interest above public interest, partiality, prejudice, threats, favoritism and undue influence. See also DCH Policy No. 411, Ethics In Government.
- B. Employees must be alert in conducting business with employees and non-employees to avoid even the appearance of misconduct, personal or financial gain or conflict of interest. While performing departmental duties, employees are required to comply with federal and state laws, the Code of Ethics for Government Service (See Attachment #1), the Governor's Executive Order, dated January 29, 1999, Rules of the State Personnel Board, and Department policies.
- C. Employees and Board members are encouraged to contact the DCH Inspector General about any concerns regarding standards of conduct, ethics and conflicts of interest.

IV. General Provisions

- A. Written guidelines which cover all phases of employee conduct are not possible, but some specific examples are provide to establish a framework of principles to assist employees in ensuring that they perform in a professional manner.

- B. In general, the Department is not concerned as an employer with non-work time of employees. Off-duty conduct becomes a legitimate concern, however, when it affects departmental operations or reflects unfavorably on State government. Such off-duty conduct may result in appropriate disciplinary action up to and including termination from employment.
- C. Employees shall not cause the employment, appointment, promotion, transfer, or advancement of a relative to a State position, which they directly supervise or manage. Employees shall not participate in an action relating to the disciplining of a relative.
- D. Employees shall continually monitor, evaluate and manage their personal, financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.
- E. The Department reserves the right to take appropriate disciplinary action, to decline to appoint or promote an applicant/employee, and to reassign an employee in order to avoid or eliminate the appearance of conflict of interest based on employee/employee, employee/client or customer or other relationships.

V. Conflict of Interest

Employees are to make every reasonable effort to avoid even the appearance of a conflict of interest. For detailed information concerning conflict of interest, refer to DCH Policy 411, Ethics In Government.

VI. Use of Privileged Or Confidential Information

- A. Many employees are exposed to privileged or confidential information through their knowledge of official plans and programs, which may be of significant interest to the public. Employees shall not knowingly use their positions in any manner, which will result in financial or other benefit, directly, or indirectly for themselves, their relatives, or individuals with whom they are personally or financially involved.
- B. Privileged or confidential information (e.g., contract bids, certain financial, personnel or client information, etc.) is to be released only by authorized DCH officials.
 - 1. The release of any privileged or confidential information, financial or otherwise, is not authorized to any person who does not have a legitimate need to know.

2. Employees shall not disclose information gained in the course of, or by reason of, their official responsibilities in a way that would affect a personal financial interest for themselves, their relatives, or individuals with whom they are personally or financially involved.
- C. Use of computers to obtain information concerning clients, customers, other employees or third parties for non-work related reasons is prohibited.

VII. Disclosure of Information

- A. All applicants/employees are required to disclose felony convictions on *APPLICATIONS FOR EMPLOYMENT* and convictions and/or pending charges on *STATE SECURITY QUESTIONNAIRE LOYALTY OATH* Forms.

1. Falsification or misrepresentation of information, including criminal history, is **prohibited** and may result in an offer of employment being withdrawn from an applicant or termination of an employee.
2. **Material** falsification or misrepresentation of any information, including criminal history, **will** result in an offer of employment being withdrawn from an applicant or termination of an employee

NOTE: "Material" refers to information which directly influences and/or impacts the hiring decision based on records, credentials and/or qualifications.

3. Applicants whose offer of employment is withdrawn or employees who are terminated due to falsification or misrepresentation of information are not eligible for re-employment with DCH for a **minimum of 6 months** from the date of withdrawal or separation, whichever is applicable.
- B. Employees are required to notify their supervisor or Office of Human Resources of any arrests and/or convictions within **5 calendar days of arrest or conviction**. A determination of appropriate action will be made on a case by case basis.

VIII. Activities And Relationships With Non-Employees And Private Businesses

- A. Employees must be alert in conducting business with non-employees to avoid even the appearance of misconduct, personal or financial gain or conflict of interest.
- B. Employees must report ownership or partial ownership of a company if the company in which the employee is part owner is doing business, or seeks a business relationship with DCH, including any entity within DCH.

- C. Employees are prohibited from membership on the Board of Directors of any private or non-profit agency with which the Department of Community Health contracts.
- D. Employees are prohibited from accepting personal favors or benefits under circumstances, which may influence or give the appearance of influencing their official activities. Such favors and benefits may not be accepted by employees on behalf of other individuals.
- E. Employees are prohibited from involvement in official activities in which a client or customer is a relative, or in-law. Employees are prohibited from involvement in official activities in which a client or customer is a personal acquaintance when the relationship creates a conflict or perception of conflict of interest.
 - 1. Employees are required to report such circumstances to their supervisors to avoid the appearance of giving unjustified preference or conflict of interest.
 - 2. Employees are encouraged to discuss the above circumstances with their supervisors if there are any questions concerning relatives, in-laws or personal acquaintances.
- F. Employees must conduct themselves in a positive and courteous manner at all times towards clients and customers. Mistreatment of clients or customers in any form is a matter of concern at all supervisory levels and will not be tolerated. Prohibited activities include, but are not limited to:
 - 1. Obtaining alcohol or illegal drugs for or from clients or customers;
 - 2. Receiving gifts or favors from clients or customers, or from their relatives, friends or personal acquaintances.
 - 3. Gambling, buying, selling, trading, borrowing or lending goods or money with clients or customers;
 - 4. Using relationships with, or information on, current or former clients or customers to take unfair advantage of them, their relatives, friends or personal acquaintances;
 - 5. Engaging in sexual relationships, physical sexual conduct, or inappropriate verbal sexual conduct with clients or customers, or otherwise taking sexual advantage of them; and
 - 6. Engaging in rude, argumentative, hostile or otherwise unprofessional behavior toward clients or customers.

IX. Conditions Of Employment

Employees must comply with the conditions of employment specified in laws, rules, policies, Code of Ethics and the Governor's Executive Order referenced previously. Examples include but are not limited to:

- A. Dressing appropriately and presenting a neat and clean appearance. (Refer to DCH Policy No. 417, Appropriate Work Attire)
- B. Maintaining professional relationships with co-workers and supervisors. Maintaining courteous, professional demeanor in the presence of clients, the general public, and other employees. Giving clear and accurate information in a professional manner. Using appropriate telephone courtesy.
- C. Reporting to work on time. Observing appropriate call-in procedures for late arrival and/or absence. Observing the provisions of the Fair Labor Standards Act. Observing policies on break and meal periods. Using work time for work related activity.
- D. Use leave appropriately, including submitting timely requests and providing documentation for use of leave when required.
- E. Observing established policies on health, safety, security and sanitation. Notifying supervisors of circumstances or situations that present potential health hazards.

X. Activities and Conduct During Working Hours

- A. Employees are expected to maintain a professional and businesslike relationship with fellow employees. DCH will not tolerate acts or threatened acts of violence in the work place. Reports of threats or acts of violence will be thoroughly investigated and appropriate action will be taken. Examples of prohibited behavior are:
 - 1. Threatening, abusive or profane language or written material;
 - 2. Argumentative behavior, whether directed toward a supervisor, client, customer, co-worker or any other party while on duty or while acting under color of office;
 - 3. Fighting;
 - 4. Unprofessional behavior such as sexual-related conversations, inappropriate touching of another employee (e.g., kissing, hugging, massaging, sitting on

laps), racial or ethnic jokes and slurs, and other verbal or physical conduct of an offensive nature; and,

5. Intimate relationships between managers or supervisors and their subordinate staff members, through any line of authority, based on the significant potential for such relationships to present an actual or perceived conflict of interest. Employees who enter into such relationships are expected to notify higher management of the need for one or both of the employees in the relationship to be reassigned, so that a line relationship no longer exists between the employees.

NOTE: Intimate relationships between co-workers are prohibited when the relationship has a demonstrated negative effect on the performance of either co-worker or the effective, efficient functioning of the work unit.

- B. Employees are required to cooperate and provide assistance, when appropriate, with any type of investigation regarding alleged criminal or administrative misconduct. This includes activities such as cooperating in interviews, answering questions related to the performance of official duties, producing requested documents, and polygraph examinations.
- C. Employees are not to engage in activities other than official business during working hours. Prohibited activities include, but are not limited to:
 1. Lending or borrowing money (occasional voluntary loans of nominal value may be acceptable);
 2. Gambling;
 3. Conducting an outside business while on duty by any means of communication, such as wearing beepers, operating fax or copier machines, computers, telephones, etc.
 4. Use of computers for non-work related reasons, specifically, sending or receiving personal mail and personal email at DCH is prohibited (Refer to DCH Policy No. 419, Use of State Computers and the Internet);
 5. Being on call for other employment;
 6. Soliciting, selling products or fund raising on the work premises for personal profit or for an organization unless specifically authorized (e.g., the State Charitable Contributions Program, personal events such as retirements, etc.); and

7. Distributing advertisements, pamphlets, or similar literature or soliciting memberships. Training where products or services are sold is strongly discouraged.
- D. Employees are not authorized to tape record conversations at work unless work-related and specifically approved by the supervisor of the organizational unit.
1. Supervisors are not to tape record conversations, meetings, etc. unless there is a specific work-related reason for doing so.
 2. Certain individuals, such as employees doing investigations, due to the nature of their job, are authorized to tape record conversations when necessary and appropriate.
 3. Grievance Hearing may be taped only by the authorized official(s) conducting the hearing.
- E. Employees are prohibited from falsifying records (e.g., time cards, sign-in/out sheets, case management and/or client or customer records) or any other documents prepared during the course of business.
- F. Employees are not authorized to carry weapons (e.g., knives, firearms or explosive devices) while at work. Exceptions include employees carrying firearms because it is related to their job and is specifically required as a condition of employment.
- G. Possession or consumption of alcohol or illegal drugs; and/or reporting to work or being on duty with the presence of drugs or alcohol is prohibited.
- H. In order to minimize interference with normal operations and to avoid potential hazards and liability for the Department, visitors (e.g., children, other relatives, friends or acquaintances of employees) in the work place during work hours are discouraged. Work units may establish specific prohibitions in accordance with work-related needs.
- I. Offices, work stations, and office furniture are State property and are reserved for work-related activities. Employees may have personal items in the office or workstation, if suitable for the work area and reasonable.
1. Examples include family photographs; certificates, diplomas; and small, discreet, decorative or inspirational items intended for the comfort and enjoyment of the employee.
 2. Such items must not be offensive or inflammatory, or otherwise inconsistent with the Department's work setting.

3. Employees may be required to remove items determined to be inappropriate from work areas at any time.
4. Employees are prohibited from receiving personal mail at DCH. Any and all mail received at DCH is considered the property of the state and of the Department. This applies to mail delivered through the US Postal Service and all mail delivery organizations. DCH email accounts are for state business purposes and the contents are subject to state open records laws.

XI. Use of State Property

Employees are responsible for reporting suspected criminal or administrative misconduct including fraud, waste, and abuse relating to any State program or operation.. Negligence use and/or destruction of State property is prohibited. For further information concerning the appropriate use of State property, refer to DCH Policy No. 418, Use of State Property, Fax Equipment, Pagers, Vehicles, and Other Resources; DCH Policy No. 419, Use of State Computers and the Internet; DCH Policy No. 420, Control of Telephone Use and Expenditures; and DCH Policy No. 421, Voice Mail.

XII. Personal Appearance During Work Hours

As representatives of the State, employees should present a business-like, professional image and employees are expected to be clean and neat in appearance at all times. Employees should refer to DCH Policy No. 417, Appropriate Work Attire, for further information.

XIII. Reporting Responsibilities

A. Responsibility for reporting possible criminal violations.

An employee who has information which he or she reasonably believes indicates a possible offense against the State of Georgia by an employee of the Department, or any other individual working on behalf of the Department, shall immediately report such information to his or her supervisor, any management official, or directly to the Office of the Inspector General. Offenses covered by the preceding sentence include, but are not limited to, bribery, fraud, perjury, conflict of interest, misuse of funds, equipment, or facilities, and other conduct by a government officer or employee, grantee, contractor or other person which is prohibited by title 16 of the Unannotated Georgia Code.

B. Responsibility for reporting allegations of misconduct.

An employee who has information which he or she reasonably believes indicates the existence of an activity constituting (a) a possible violation of a rule or regulation of

the Department; or (b) mismanagement, a gross waste of funds, or abuse of authority; or (c) a substantial and specific danger to the public health and safety, shall immediately report such information to his or her supervisor, any management official of the Department, or directly to the Office of the Inspector General.

Any supervisor or management official who fails to report known or suspected misconduct will be subject to disciplinary action. The supervisor must report misconduct even though he or she may believe that disciplinary action is not warranted based upon circumstances of the case.

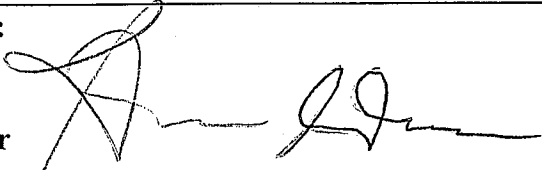
C. Referral of matters arising under the standards of conduct

The DCH Inspector General may refer to the Office of the Attorney General, suspected violations of the criminal laws regarding employee standards of conduct and conflicts of interest.

XIV. Mandatory Reporting

Any and every employee who has knowledge of any ethics violation is responsible for reporting such violation to the DCH Inspector General and the DCH Ethics Officer. Good faith reports will be free from retaliation. Supervisors are responsible for reporting such violation and for forwarding any such report from any member of the supervisor's staff to the DCH Inspector General and the DCH Ethics Officer. Supervisors are additionally responsible for ensuring that the employees under his or her supervision are aware of and comply with the DCH ethical standards and policies.

ATTACHMENT: Code of Ethics For Government Service

Approved By:	Date:
Commissioner 	3/27/08

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
- VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
- VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

Authorized by
Senate Resolution 25 Resolution Act 253
Approved April 10, 1968

Republished 03/2000